

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 00-6309-CR-SEITZ

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHN MAMONE, et al.

Defendant.

**UNITED STATES' MOTION TO DEPOSIT \$20,000.00 OF
GOLD COAST CHECK CASHING, INC. WITH THIS COURT'S REGISTRY**

The United States requests an order requiring Gold Coast Check Cashing, Inc. ("Gold Coast") to release, turnover and deposit with this Court's registry, the \$20,000.00 obtained by Gold Coast in the related South Carolina case. In support of its motion, the United States submits that:

1. On December 18, 2000, Honorable G. Russ Anderson, Jr., United States District Judge sitting in the District of South Carolina, Greenville Division, issued an order returning \$20,000.00 plus a \$5,000.00 cost-bond check to Gold Coast. See order attached as Exhibit One. A subsequent order was issued by Judge Anderson on or about March of 2000, requiring the bank with the funds to disburse a check for the funds. See order attached as Exhibit Two.
2. The funds are currently held in the escrow account of Harry M. Solomon, Esq., Counsel for Gold Coast.

FILED
JUN 19 2001
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MAMONE

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MAMONE

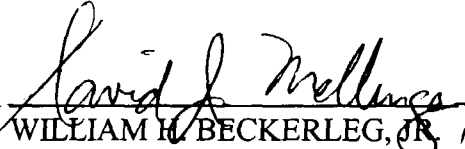
3. Gold Coast's attorney, Mr. Solomon, and the undersigned have agreed that the \$20,000.00¹ are an interest of Gold Coast Check Cashing, Inc. subject to the protective order issued by this Court on October 27, 2000.

4. The \$20,000.00 should be released and deposited with this Court's registry as a potentially forfeitable asset. The funds will be dealt with and disposed of in the forfeiture portion of this case, if applicable.

WHEREFORE, the United States requests that this Court enter an order requiring Gold Coast Check Cashing, Inc. to release and turnover forthwith the \$20,000.00 currently held in escrow by their attorney, for deposit into an interest-bearing account controlled by the Clerk of the Court pending forfeiture proceedings and/or any further order of this Court. A proposed order is attached.

Respectfully submitted,

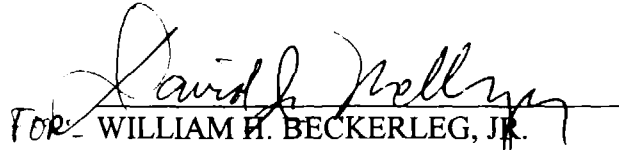
GUY A. LEWIS
UNITED STATES ATTORNEY

By: 
For: WILLIAM H. BECKERLEG, JR.
ASSISTANT U.S. ATTORNEY
500 E. Broward Blvd., Suite 700
Fort Lauderdale, Florida 33394
Tel: (954) 356-7314, ext. 3614
FAX: (954) 356-7180
Bar No. A5500074

¹The United States is only seeking forfeiture of the \$20,000.00. Gold Coast has submitted proof to the United States that the funds for the \$5,000.00 cost-bond came from an independent third-party.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and accurate copy of the above and foregoing was mailed
this 18th day of June, 2001, to Harry M. Solomon, Esq., 799 Brickell Plaza, Suite 606, Miami, FL
33131.


For: WILLIAM H. BECKERLEG, JR.
ASSISTANT U.S. ATTORNEY

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

UNITED STATES OF AMERICA,) CASE NO. 6:00-236-13
)
v.)
)
ALLIANCE TRUST, a.k.a. Alliance T, Inc.,) ORDER
a.k.a. AT, Inc., CHEMICAL TRUST,)
CARDINAL TRUST, a.k.a. Cardinal T., Inc., CARVER)
TRUST, a.k.a. Carver T, Inc., CONTINENTAL TRUST,)
HAMPTON TRUST, HEART-LAND TRUST,)
HERSHEY'S TRUST, THREE RIVERS TRUST, a.k.a.)
TRT, Inc., MERRITT PIERCE TRUST, a.k.a. MPT, Inc.,)
UNITED MARKETING TRUST, a.k.a. UMT, Inc., U.S.)
GUARANTEE CORP., GOLD COAST CHECK)
CASHING, INC., VIRGIL W. WOMACK, GEORGE H.)
WILLIAMSON, SR., CHARLOTTE WOMACK,)
CLIFTON WILKINSON, FRED MORGENSTERN,)
LEWEY L. CATO, III, and ALVIN A. TANG,)
)
Defendants,)
)
)
PRESTIGE ACCOUNTING SERVICES, INC.,)
ACC CAPITAL CONSULTANTS, INC.,)
THE FALCON TRUST COMPANY, LTD.,)
AMERICA'S FIDELITY ASSURANCE COMPANY,)
LTD., NEW MILLENNIUM MANAGEMENT,)
MANUFACTURERS FIDELITY AND GUARANTY)
COMPANY, LTD., AMERICA'S RESOURCE CORP.,)
MICA SECURITIES, INC., MICA ENTERPRISES,)
INC., U.C.B.M. (BAHAMAS), LTD., TRIPLE W)
BUILDERS, INC., MERRIT ADVISORS GROUP, INC.,)
ADBANK COMPANIES, INC.,)
FIRST CAPITAL ACCEPTANCE CORP.,)
INTERCONTINENTAL CAPITAL MANAGEMENT,)
LTD., JRAM, ADVANCE CLEARING, INC., and)
ALLAN J. CLARKE,)
)
Relief Defendants.)
)



This matter is before the Court on motion of the United States which has previously entered into an agreement with Gold Coast Check Cashing, (hereinafter, "Gold Coast") settling a civil forfeiture matter following the seizure of some \$68,057.84 in third party checks, \$51,936.00 in cash and several items of office equipment. Gold Coast has agreed to abandon any and all of its right, title and interest in the above items, provided the United States returns \$20,000.00 and the \$5,000.00 cost bond Gold Coast filed at the time it challenged the administrative forfeiture of these items.

The funds, aside from the cost bond, to be refunded to Gold Coast are held in an account frozen by restraining orders previously issued by this Court at Peninsula Bank, in account #20012754. It is therefore

ORDERED, that Peninsula Bank shall issue a bank check drawn from funds now held in account #20012754 to "Harry M. Solomon, P.A., Trust Account," and deliver it to Harry M. Solomon, Esquire, Suite 606, 799 Brickell Plaza, Miami, Florida 33131 in the amount of \$20,000.00 for the benefit of his client, Gold Coast. Further, it is

ORDERED, that Peninsula Bank shall issue a bank check for the balance remaining in account #20012754 to the United States of America and deliver it to Special Agent Thomas O'Neill for the Federal Bureau of Investigation to complete the forfeiture process. The Receiver, with the assistance of the Assistant United States Attorney seeking this Order, shall petition for the remission of the balance of said forfeitable funds for the benefit of any victims identified in the companion criminal matter of United States v. Virgil Womack, et al., Criminal Number 8:00-27. Further, it is

ORDERED, that Peninsula Bank and its employees, servants, agents, officers and assigns are hereby discharged from any and all actions, causes of action, suits, proceedings, debts, dues, contracts, judgments, damages, claims and demands in law or equity which Gold Coast or the United

States or their heirs or assigns ever had, now have or may have in the future in connection with the seizure, detention, release and administrative forfeiture of the above described account and related accounts with Gold Coast. And

IT IS SO ORDERED.

G. ROSS ANDERSON, Jr.
United States District Judge

March __, 2001
Anderson, South Carolina

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

UNITED STATES OF AMERICA,) CASE NO. 6:00-236-13
)
v.)
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TRUST, a.k.a. Carver T, Inc., CONTINENTAL TRUST,)
HAMPTON TRUST, HEART-LAND TRUST,)
HERSHEY'S TRUST, THREE RIVERS TRUST, a.k.a.)
TRT, Inc., MERRITT PIERCE TRUST, a.k.a. MPT, Inc.,)
UNITED MARKETING TRUST, a.k.a. UMT, Inc., U.S.)
GUARANTEE CORP., GOLD COAST CHECK)
CASHING, INC., VIRGIL W. WOMACK, GEORGE H.)
WILLIAMSON, SR., CHARLOTTE WOMACK,)
CLIFTON WILKINSON, FRED MORGENSTERN,)
LEWEY L. CATO, III, and ALVIN A. TANG,)
)
Defendants,)
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PRESTIGE ACCOUNTING SERVICES, INC.,)
ACC CAPITAL CONSULTANTS, INC.,)
THE FALCON TRUST COMPANY, LTD.,)
AMERICA'S FIDELITY ASSURANCE COMPANY,)
LTD., NEW MILLENNIUM MANAGEMENT,)
MANUFACTURERS FIDELITY AND GUARANTY)
COMPANY, LTD., AMERICA'S RESOURCE CORP.,)
MICA SECURITIES, INC., MICA ENTERPRISES,)
INC., U.C.B.M. (BAHAMAS), LTD., TRIPLE W)
BUILDERS, INC., MERRIT ADVISORS GROUP, INC.,)
ADBANK COMPANIES, INC.,)
FIRST CAPITAL ACCEPTANCE CORP.,)
INTERCONTINENTAL CAPITAL MANAGEMENT,)
LTD., JRAM, ADVANCE CLEARING, INC., and)
ALLAN J. CLARKE,)
)
Relief Defendants.)
)

CERTIFICATE OF SERVICE

This is to certify that one copy of the within and foregoing United States' proposed ORDER, has been mailed, postage prepaid, this 17th day of March, 2001, to:

1. Beattie B. Ashmore, Receiver
c/o Steven E. Farrar, Esquire
Attorney for the Receiver
Leatherwood, Walker, Todd & Mann, P.C.
100 E. Coffee St., P.O. Box 87
Greenville, SC 29602-0087
2. Beattie B. Ashmore, Receiver
Price, Paschal & Ashmore, P.A.
Attorney at Law
644 East Washington, Street
Greenville, South Carolina 29601
3. Gold Coast Check Cashing, Inc.
c/o Harry M. Solomon, Esq.
799 Brickell Plaza, Suite 606
Miami, FL 33131



TINA L.D. PERKINS

SCANNED

FILED

DEC 19 2000

LARRY W. PROPPS, CLERK
U. S. DISTRICT COURT

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

UNITED STATES OF AMERICA,

v.

ALLIANCE TRUST, a.k.a. Alliance T, Inc.,
a.k.a. AT, Inc., CHEMICAL TRUST,
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TRUST, a.k.a. Carver T, Inc., CONTINENTAL TRUST,
HAMPTON TRUST, HEART-LAND TRUST,
HERSHEY'S TRUST, THREE RIVERS TRUST, a.k.a. TRT,
Inc., MERRITT PIERCE TRUST, a.k.a. MPT, Inc., UNITED
MARKETING TRUST, a.k.a. UMT, Inc., U.S. GUARANTEE
CORP., GOLD COAST CHECK CASHING, INC., VIRGIL
W. WOMACK, GEORGE H. WILLIAMSON, SR.,
CHARLOTTE WOMACK,
CLIFTON WILKINSON, FRED MORGENSTERN,
LEWEY L. CATO, III, and ALVIN A. TANG, and JOSEPH
R SILVESTRI,

Defendants.

CASE NO 6:00-236-13

COPY

ORDER

ENTERED

DEC 19 2000

PRESTIGE ACCOUNTING SERVICES, INC.,
ACC CAPITAL CONSULTANTS, INC.,
THE FALCON TRUST COMPANY, LTD.,
AMERICA'S FIDELITY ASSURANCE COMPANY, LTD.,
NEW MILLENNIUM MANAGEMENT,
MANUFACTURERS FIDELITY AND GUARANTY
COMPANY, LTD., AMERICA'S RESOURCE CORP.,
MICA SECURITIES, INC., MICA ENTERPRISES, INC.,
U.C.B.M (BAHAMAS), LTD., TRIPLE W BUILDERS,
INC., MERRIT ADVISORS GROUP, INC., ADBANK
COMPANIES, INC.,
FIRST CAPITAL ACCEPTANCE CORP.,
INTERCONTINENTAL CAPITAL MANAGEMENT, LTD.,
JRAM, ALLAN J. CLARKE, AMERICAS FIDELITY
CAPITAL MANAGEMENT, LTD., AMERICAS
INTERNATIONAL BANK CORP., LTD., STANDARD
ATLANTIC, INC., FTS ENTITIES, LTD., RISK
MANAGEMENT GROUP, LTD., BRUCE FORRESTER,
NELSON JARNIGAN, JAMES MORGENSTERN, and
DAVID MORGENSTERN,

Relief Defendants.

GOVERNMENT
EXHIBIT 1

Received: 12/19/2000 11:50; US ATTORNEY-criminal; #343; Page 3

This matter is before the Court on motion of the United States, by and with the consent of Gold Coast Check Cashing, Inc., (hereinafter, "Gold Coast"), a defendant named in the preliminary injunctions previously entered by this Court in this matter.

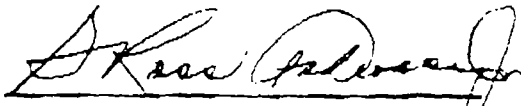
On January 7, 2000, Gold Coast was searched, and seized pursuant to warrants issued in the Southern District of Florida were certain third-party checks totaling \$68,057.84, cash in the amount of \$51,936.00 and office equipment. Gold Coast was given notice that the cash and checks seized were subject to administrative forfeiture by the Federal Bureau of Investigation (FBI). According to the United States, Gold Coast filed timely claims and a cost bond with respect to the cash and checks, and the case was referred to the U.S. Attorney for civil judicial forfeiture. Following the seizure of these funds the FBI deposited the seized checks into an account of Gold Coast subject to injunctions noted above and which had been frozen pursuant thereto for the purpose of negotiating the checks and collecting the amounts due. After deduction for fees and costs of collection, the FBI was able to realize only \$32,617.64 of the face amount of the checks negotiated.

The United States has since entered into negotiations with Gold Coast through its counsel, Harry M. Solomon, Esquire, of Miami, Florida, who has made an appearance before this Court and has been admitted *pro haec vice* in this District Court, to settle the civil judicial forfeiture. Gold Coast has agreed that it will abandon all right, title and interest in its office equipment seized January 7, 2000, and, when provided notice of its formal abandonment, will not file a claim for its return. Through the agreement, Gold Coast certifies that the equipment seized by the FBI is in fact Gold Coast's. Moreover, Gold Coast will withdraw and abandon its claim to all funds seized by the FBI through court orders, including those funds seized and frozen in its accounts, Peninsula Bank, Sarasota, Florida and the aforementioned cash in the amount of \$51,936.00. In return, the United States will cause the bank in which the proceeds of the checks are now deposited and which accounts

ADK
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remains frozen by Order of this Court, to issue a bank check in the amount of \$20,000.00 to Harry M. Solomon, Esquire, for the benefit of Gold Coast Check Cashing, Inc. In addition, because the claim is being withdrawn and abandoned, the United States will cause the cost bond in the amount of \$5,000.00 to be returned to Mr. Solomon for the benefit of his client. And, it is so


ORDERED.


G. ROSS ANDERSON, JR.
UNITED STATES DISTRICT JUDGE

12/18/2000
September 22, 2000
_____, South Carolina

I SO MOVE:

J. RENÉ JOSEY
UNITED STATES ATTORNEY

By: 
MARVIN J. CAUGHMAN, I.D.# 76
Assistant U.S. Attorney
1441 Main Street, Suite 500
Columbia, South Carolina 29201
(803) 929-3068

I CONSENT:

GOLD COAST CHECK CASHING, Inc.

By: 
HARRY M. SOLOMON, Esquire
Suite 606
799 Brickell Plaza
Miami, Florida 33131
(705) 358-7400

3